



NEWS

Federal Communications Commission
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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

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FCC EXAMINING FORBEARANCE PETITION REVIEW PROCESS

Washington, D.C. – The Federal Communications Commission is examining whether there is a need for new procedures governing its review of petitions requesting forbearance from regulation.

Under the Telecommunications Act of 1996, the Commission is required to forbear from any statutory provision or regulation if it determines that the regulation is not needed to protect consumers or to ensure just and reasonable rates and practices by carriers. In addition, the Commission must determine whether forbearance will promote competitive markets and is in the public interest. Unless the Commission responds to petitions for forbearance within one year – a deadline which can be extended by 90 days – the relief sought is deemed granted by operation of law.

The Notice of Proposed Rulemaking, or NPRM, adopted by the Commission today, addresses a petition filed by a group of competitive wireline carriers who argue for adoption of certain procedural rules. The NPRM seeks comment on a number of proposed rules that the petitioners claim would help the Commission evaluate forbearance petitions, including:

- Whether new rules should govern the format and content of forbearance petitions
- Whether new notice and comment rules, such as default comment periods and time limits on *ex parte* filings, should be adopted
- Whether other rules would facilitate the participation of state commissions, as well as other parties, in forbearance proceedings

The NPRM also seeks comment on whether forbearance is an effective means for the Commission to make changes to its regulations.

Action by the Commission, November 27, 2007, by Notice of Proposed Rulemaking (FCC 07-202). Chairman Martin, Commissioners Copps, Adelstein, Tate, and McDowell. Separate statements issued by Commissioners Copps, Adelstein, Tate, and McDowell.

Docket No.: 07-267

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